



June 23, 2011

Senate Natural Resources, Environment and Great Lakes Committee
Lansing, Michigan Environmental Council

Re: HB 4746 / SB 470 – Zoning ordinances regarding mineral extraction

Dear Senators,

The Michigan Environmental Council supports good management of our natural resources. Those resources, if properly managed for the long-term, provide a base from which the infrastructure of the state can be built and maintained for future generations.

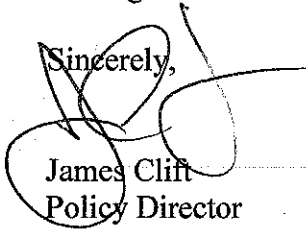
As we many issues, we think that management decisions should occur at the local level and reflect the will of the community. Therefore, absent overriding concerns, we think reasonable controls established by local unit of government should be supported.

We are concerned that HB 4746 and SB 470 place the property rights of some resident above the property rights of others. In this case, the property rights regarding the mining of sand and gravel above the property rights of individual residents to "quiet enjoyment" of their property.

Our elected officials in local units of governments have the difficult task of balancing these competing concerns. And, if they pass local ordinances that do not exclude mining of sand and gravel from within their borders, but place reasonable restrictions on their operations, those ordinances should be supported by state law and the courts.

We urge members to oppose the legislation currently before the committee.

Sincerely,


James Clift
Policy Director